

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BASIL SEGGOS, as Commissioner of the New York State
Department of Environmental Conservation and Trustee of New
York State's Natural Resources, and the STATE OF NEW YORK,

Plaintiffs,

-against-

THOMAS DATRE, JR.; CHRISTOPHER GRABE; 5 BROTHERS
FARMING CORP.; DAYTREE AT CORTLAND SQUARE INC.;
IEV TRUCKING CORP.; COD SERVICES CORP.; ALL ISLAND
MASONRY & CONCRETE, INC.; BUILDING DEV CORP.;
DIMYON DEVELOPMENT CORP.; NEW EMPIRE BUILDER
CORP.; CIPRIANO EXCAVATION INC.; TOUCHSTONE
HOMES LLC; SAMS RENT AND CONSTRUCTION; SAM'S
RENT, INC.; NEW YORK MAJOR CONSTRUCTION INC.;
EAST COAST DRILLING NY INC.; TRITON CONSTRUCTION
COMPANY, LLC; SUKRAM AND SONS LTD.; M & Y
DEVELOPERS INC.; "JOHN DOE"; ATRIA BUILDERS, LLC;
WOORI CONSTRUCTION INC.; PLUS K CONSTRUCTION
INC.; NY FINEST ENTERPRISES INC.; MONACO
CONSTRUCTION CORP.; ALEF CONSTRUCTION INC.; 158
FRANKLIN AVE. LLC; LUCIANO'S CONSTRUCTION, INC.;
ILE CONSTRUCTION GROUP, INC.; EAST END MATERIALS,
INC.; SPARROW CONSTRUCTION CORP.; CIANO
CONCRETE CORP.; FREEDOM CITY CONTRACTING CORP.;
and TOTAL STRUCTURE SERVICES INC.,

Defendants.

Civil Action No.
2:17-CV-2684
(SJF)(ARL)

**RESPONSE BY
ATRIA BUILDERS,
LLC TO
CROSSCLAIMS OF
ALL ISLAND
MASONRY AND
CONCRETE, INC.**

Defendant Atria Builders, LLC ("Atria"), by and through its attorneys, Sive, Paget & Riesel, P.C., as and for its Response to the Crossclaim of co-defendant All Island Masonry and Concrete, Inc. ("All Island"), answers as follows, and repleads its defenses to the underlying Complaint of Plaintiff, as set forth in its Answer to the Complaint, as if fully set forth herein:

1. Atria denies each and every allegation contained within Paragraph 252 of All Island's Answer with Cross-Claims as such allegations pertain to Atria, and denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

WHEREFORE, Atria respectfully requests that the Crossclaims asserted by All Island be dismissed as to Atria.

Dated: August 15, 2017

By: /s/ Elizabeth Knauer
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